

Department of Permits Approvals and Inspections
111 West Chesapeake Avenue
Towson, Maryland 21204
Baltimore County, Maryland

In the Matter of

Civil Citation No. 92489

William K.Ratliff
22 Avenal Rd.
Baltimore, MD 21221

Respondent

FINDINGS OF FACT AND CONCLUSIONS OF LAW
FINAL ORDER OF THE ADMINISTRATIVE LAW JUDGE

This matter came before the Administrative Law Judge on July 6, 2011 for a Hearing on a citation for violations under the Baltimore County Code (BCC) section BCC 35-5-302 (b)(2); failure to replace and/or repair exterior structure on residential property.

On June 7, 2011, pursuant to § 3-6-205, Baltimore County Code, Inspector M.Stuart Kelly issued a Code Enforcement & Inspections Citation. The citation was sent to the Respondent by 1st class mail to the last known address listed in the Maryland State Tax Assessment files.

The citation proposed a civil penalty of \$ 6,000.00 (six thousand dollars)

The following persons appeared for the Hearing and testified: William Ratliff and Dianne Graham, Respondent; Kimberly Wood Baltimore County Code Enforcement Officer on behalf of Issuing Inspector Stuart Kelly.

Testimony was presented that upon an inspection of 5/21/11, a Correction Notice was issued as to the subject property for wood surfaces to be painted, siding to be replaced and the door and window of a garage to be repaired/replaced. As a result of a re-inspection on 6/7/11, a Citation was issued, mailed and posted for the failure to correct those items.

The Respondent testified that the pictures and testimony presented by the Inspector were accurate. He stated that he had already purchased the materials to complete the repairs, but had been delayed because his girlfriend (who accompanied him to the hearing and confirmed his testimony) had undergone surgery and a course of radiation therapy. She was now in follow-up and he was prepared to get the repairs done.

Having heard the testimony and evidence presented at the Hearing:

IT IS ORDERED by the Administrative Law Judge that a civil penalty be imposed in the amount of \$3,000.00 (three thousand dollars).

IT IS FURTHER ORDERED that the \$3,000 civil penalty be suspended.

IT IS FURTHER ORDERED that the suspended civil penalty of \$3,000 will be imposed if the property is not brought into compliance by August 17, 2011.

IT IS FURTHER ORDERED that if the property is brought into compliance by August 17, 2011, the remaining suspended \$3,000 civil penalty will be imposed if there is a subsequent finding against the Respondent for the same violation.

IT IS FURTHER ORDERED that if not paid within thirty days of billing, the civil penalty AND any expenses incurred by Baltimore County, as authorized above, shall be imposed and placed as a lien upon the property.

IT IS FURTHER ORDERED that the County inspect the property to determine whether the violations have been corrected.

ORDERED this 8th day of July 2011

Signed: Original Signed 7/8/11
Lawrence M. Stahl
Administrative Law Judge

NOTICE TO RESPONDENT: The Respondent is advised that pursuant to §3-6-301(a) of the Baltimore County Code, the Respondent may appeal this order to the Baltimore County Board of Appeals within fifteen (15) days from the date of this order; any such appeal requires the filing of a petition setting forth the grounds for appeal, payment of a filing fee of \$150 and the posting of security in the amount of the penalty assessed.

LMS/lmw